

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO:

State of Montana v. Abbott Labs., Inc., et al.,
D. Mont. Cause No. CV-02-09-H-DWM

[PROPOSED] ORDER

THIS MATTER is before the Court on Plaintiff State of Montana's Motion to File Its Joinder in Class Plaintiffs' (1) Motion to Compel B. Braun of America and (2) Supplement to Their Opposition to B. Braun's Motion to Dismiss. The Court, having considered all pleadings in support and in opposition thereto, and being fully advised in the premises, hereby

GRANTS Plaintiff State of Montana's motion to file Joinder in Class Plaintiffs' (1) Motion to Compel B. Braun of America and (2) Supplement to Their Opposition to B. Braun's Motion to Dismiss. State of Montana's Joinder is deemed filed.

IT IS SO ORDERED.

DATED: _____

Hon. Patti B. Saris
United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **[PROPOSED] ORDER** to be served on all counsel of record electronically on September 21, 2004, pursuant to Section D of Case Management Order No. 2.

By /s/ Steve W. Berman
Steve W. Berman, Esq.
HAGENS BERMAN LLP
1301 5th Avenue, Suite 2900
Seattle, WA 98101
Telephone: (206) 623-7292